

Drew F. Barone  
Law Clerk

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September 24, 2018

**Via USEPA FOIA Online Portal**

Regional Freedom of Information Act Officer  
United States Environmental Protection Agency  
290 Broadway, 26th Floor  
New York, New York 10007-1866

Re: **FREEDOM OF INFORMATION ACT REQUEST**

Site Name: Frederick Gumm Chemical Co. Inc., a/k/a Dipsol of America  
Inc., a/k/a Canning Gumm Chemical Company  
Site Address: 538 Forest Avenue, Kearny, New Jersey 07032 (the "Site")  
Tax Block: 179  
Tax Lot: 9.01

To Whom It May Concern:

On behalf of MacDermid, Inc., this letter serves as an official Freedom of Information Act ("FOIA") request for all information and documents the United States Environmental Protection Agency ("USEPA") may possess pertaining to the above-referenced Site including:

- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Air Emissions (AFS) database;
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Brownfields (ACRES) database;
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Biennial Report (BR) database;
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Superfund (SEMS) database;
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Greenhouse Gas (GHG) database;

Regional Freedom of Information Act Officer

September 24, 2018

Page 2

- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Water Discharge (PCS/ICIS) database;
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the RADInfo database;
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Hazardous Waste (RCRA) database;
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Toxic Releases (TRI) database; and
- Any and all documents submitted to USEPA, or prepared or generated by USEPA, either wholly or in part, relating to listing the Site in the Toxic Substances Control Act (TSCA) database.

The term “Document” is to be interpreted by USEPA as defined broadly to include any and all writings, correspondence to or from USEPA, notices, orders, reports, sampling data, analytical data, work plans, agreements, drawings, graphs, charts, photographs, phone records, other data compilations from which information can be obtained, and any recorded electronic communications, including electronic mail, computer files, and data stored electronically.

“Document” includes all copies or drafts of any document that differ in any way from the original.

As you know, FOIA provides that if parts of a file or record are exempt from disclosure, “reasonably segregable” portions must be released. We therefore request that if you determine that any portions of the requested documents are exempt from disclosure, that you provide us with all portions thereof which are not exempt and with a detailed list and description of all portions for which an exemption is claimed and a discussion of the reasoning supporting your exemption determination. *See Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert denied*, 414 U.S. 977 (1974); *Mead Data Central, Inc. v. Dep’t of the Air Force*, 566 F.2d 242, 251 (D.C. Cir. 1977) (“[W]hen an agency seeks to withhold information it must provide a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with a particular part of a withheld document to which they apply.”) *Accord, e.g., Coastal States Gas Corp. v. Dep’t of Energy*, 617 F.2d 854 (D.C. Cir. 1980).

Cole Schotz P.C.

Regional Freedom of Information Act Officer

September 24, 2018

Page 3

Pursuant to 5 U.S.C. § 552, USEPA must respond to this FOIA request within twenty (20) days. USEPA may only extend its response time for an additional ten (10) days in unusual circumstances. I look forward to receiving USEPA's response to this FOIA request within the statutorily prescribed time limit.

Should you have any questions, please do not hesitate to contact me.

Regards,

COLE SCHOTZ P.C.

*/s/ Drew F. Barone*

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Law Clerk